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PROVIDER BULLETIN

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THIS ISSUE

Transcutaneous Electrical Nerve Stimulation (TENS)

TO:

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CONTACT:

Provider Toll Free
1-800-848-0811
(360) 902-6500 in Olympia

Susan Christiansen, RN, ONC
PO Box 44322
Olympia WA 98504-4322
(360) 902-6821
(360) 902-4249 FAX

Email:
chrs235@lni.wa.gov

PURPOSE:

This bulletin replaces information previously published in **Provider Bulletin 97-01 –Transcutaneous Electrical Nerve Stimulation (TENS)**. It describes changes to the department's TENS program. These changes pertain to all TENS units dispensed on or after January 1, 2002.

Information in this bulletin applies to TENS and related supplies and service for all State Fund claims, both in and out-of-state. The vendor providing these services is Performance Modalities, Inc. (PMI). The department's contract with PMI expires December 31, 2002.

What are the changes to the department's TENS program?

The department has made several changes to its TENS program. TENS units will now be rented for four, instead of six months. Prescribing physicians may request TENS purchase after four months of TENS rental by completing the newly designed *TENS Purchase Recommendation* form. This form will be sent to prescribing physicians by PMI after TENS units have been rented for three months. Physicians will no longer be required to complete a *TENS Extended Rental* form after three months of TENS rental. The four-month rental period will be in effect for TENS units rented on or after January 1, 2002. The redesigned *TENS Purchase Recommendation* form will be used for all TENS purchase requests on or after this date.

This bulletin pertains to what types of claims?

The information listed in this bulletin pertains only to State Fund claims, both in and out-of-state. The information does not apply to Self-Insured claims or Crime Victims' claims, which begin with the letters S, T, W, or V.

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What is the opinion of the Washington State Medical Association and the Department's Medical Director regarding the effectiveness of TENS therapy?

Medical Treatment Guidelines, designed to improve medical outcomes for injured workers, are developed through the collaboration of the Department of Labor and Industries (L&I) and the Washington State Medical Association (WSMA) Industrial Insurance and Rehabilitation Committee. The Department of Labor and Industries is solely responsible for coverage decisions that may result from the use of these guidelines.

The Medical Treatment Guidelines Subcommittee of the Washington State Medical Association has reviewed literature on the effectiveness of TENS units in treating pain. There is evidence the units can be effective in treating acute or postoperative pain. However, there is less evidence the devices are effective in treating chronic pain. In particular, it is unusual for a patient to benefit from a TENS unit for more than 3 months.

How are TENS units defined?

The electrotherapy industry has experienced rapid change in recent years, resulting in a variety of new products on the market. Some units claim to be able to treat a broader variety of conditions or purport to employ a new, unique, or wider array of techniques.

Because of the lack of demonstrable, scientific evidence in the medical literature to evaluate such claims, the department relies on the US Food and Drug Administration's (FDA) 510(k) approval for marketing process as its standard for electrotherapy. The FDA classifies electrotherapy units into three categories: TENS units, interferential current stimulators, and neuromuscular stimulators.

The policies and procedures described in this bulletin apply only to the TENS units in this contract. The department's other standing policies on the use of neuromuscular, interferential, and other kinds of electrotherapy are not affected by this contract. For more information on specific policies, contact Jami Lifka, Medical Program Specialist, L&I Office of the Medical Director, PO Box 44321, Olympia, WA, 98504-4321.

Who may prescribe TENS units for injured workers?

TENS units may be prescribed by licensed medical, osteopathic, naturopathic and podiatric physicians and dental surgeons.

Chiropractic physicians are excluded from prescribing TENS units by WAC 246-808-640.

Physical and occupational therapists may only fit injured workers with TENS units upon referral by a prescribing physician.

What are the TENS therapy authorization requirements?

Per WAC 296-20-03001(9), TENS therapy requires prior authorization by the department. Further, WAC 296-23-165(1)(b) states providers are required to use the contracted TENS vendor when prescribing or dispensing TENS units. Vendors who attempt to bill the department for TENS without authorization will not be paid. Any exception to use of the department's contracted TENS vendor must be submitted to and approved by the L&I Medical Director in writing.

How are TENS units provided to injured workers?

Providers have two alternatives for the provision of TENS units to injured workers. Providers who frequently prescribe or dispense TENS units (i.e., one or more per month) may have inventories of some or all of the TENS models (listed below) maintained by PMI. Providers who work with TENS on a less frequent basis may use PMI's toll-free line (listed below) to order a TENS unit for an injured worker.

Which TENS units are available for injured workers?

PMI offers the following units for prescription and dispensing. Providers may choose the unit they prefer:

- Empi Epix XL
- American Imex Ultima XS
- Electro-Medical Alpha Stim 100
- American Imex Easy TENS
- American Imex IF-400¹
- Empi Eclipse Plus
- Empi Epix VT
- Sparta Spectrum Max-SD
- Rehabicare SX Plus

How does a provider obtain authorization for a TENS unit?

Due to the lack of scientific research to substantiate curative benefits from TENS, particularly in the long term, the focus of the department's policy will be on the rental of TENS units. *The department will purchase TENS units only if objective evidence demonstrates injured workers have benefited from TENS therapy.*

Initial Authorization:

The initial authorization procedure for TENS will not change from current practice. Providers with inventories of TENS units will notify PMI when they have dispensed a unit and PMI will replenish the inventory. For those providers who do not have inventories of TENS units, contact PMI and a unit will be express mailed, most often within one day of the request.

A trial evaluation period of up to 30 days will begin once the prescribed TENS unit has been dispensed. During this time, the provider and the injured worker will assess whether the TENS treatment is working and if rental of the unit is medically necessary.

After being notified that continued TENS therapy is indicated, PMI will contact the department to obtain authorization for four months of TENS rental. The authorization will be dated from when the unit was originally dispensed.

¹ This unit is classified by the FDA as a true interferential current stimulator. Only interferential units listed in the PMI contract with the department are eligible for rental and purchase on an at-home basis (as described in this Provider Bulletin) and only through the contracted vendor.

Purchase Authorization:

Purchase of a TENS unit will be considered by the department after four months of rental. If an injured worker continues to exhibit substantial, measurable improvement as a direct result of TENS therapy, the prescribing physician may request purchase of the unit by completing the *TENS Purchase Recommendation* form. This form is automatically sent by PMI to physicians who have requested and received TENS rental authorization. PMI will send the form after a TENS unit has been rented for three months.

If a prescribing physician does not want to pursue TENS purchase for an injured worker, after receiving the *TENS Purchase Recommendation* form, check box 12 and return the signed form to PMI.

To request purchase of a TENS unit:

1. Complete the *TENS Purchase Recommendation* form.
2. After completing the form, send it back to PMI.
3. PMI will forward your request to the department.
4. An L&I medical consultant familiar with electrotherapy will review your request and provide a medical perspective as to whether the request is substantiated by the objective medical evidence included on the form.
5. After the medical consultant has completed the TENS purchase review, PMI will contact L&I's Provider Hotline to request authorization for TENS unit purchase.
6. The department's purchase decision will be communicated to PMI. If the department denies TENS purchase, PMI will contact the requesting physician and injured worker.

NOTE: Physicians are not permitted to bill the department for completion of the *TENS Purchase Recommendation* form.

What action can the prescribing physician and injured worker take if the department denies purchase of a TENS unit?

If TENS unit purchase is denied, and the prescribing physician and injured worker believe the department's decision is wrong, a second purchase review may be requested. Within 30 days of your receipt of the TENS purchase denial, send PMI a letter requesting a second purchase review. *Include in your request additional objective information supporting both the injured worker's functional improvement and the effectiveness of TENS therapy.* PMI will forward your request to the department.

What needs to be done if a TENS unit is no longer authorized?

Per RCW 51.28.020 and WAC 296-20-020, an injured worker with an accepted claim with the department is entitled to benefits and may not be charged for any costs of treatment deemed appropriate for that claim. This includes postage for any items returned by mail.

When a TENS unit is no longer authorized by the department, PMI will contact the prescribing physician and injured worker by letter, notifying them the TENS unit must be returned. All TENS units come with a post-paid, self-addressed package for easy return. If the injured worker should lose the return packaging, PMI will send them replacement packaging at no charge.

The injured worker's TENS unit is owned by PMI. If the unauthorized TENS unit is not returned to PMI, PMI can bill the injured worker for all charges related to TENS rental, purchase and supplies that accrue after TENS authorization is denied by the department.

What assistance can PMI give to providers and injured workers?

PMI has technical specialists available to provide assistance and answer questions regarding the TENS models available through the contract, as well as the proper use of TENS. In addition to its technical resources, PMI has a customer service department that provides high quality support to both workers and providers.

Some features of PMI's technical, customer service, and quality programs are listed below:

- PMI's technical representatives will be available to instruct individual clinics and providers on an as-needed basis.
- No less than every six weeks, a PMI technical representative will visit clinics with inventories of TENS units and supplies. The technical representative will take a physical inventory and replace any units or disposable products that have been on the shelf for more than 3 months.
- PMI has a toll-free customer service number (listed below) that providers and injured workers may call to have questions answered or receive more information about TENS.
- PMI's customer service staff will place follow-up calls to new TENS patients to ensure that they understand how to properly use the unit and accessories.
- PMI has customer service resources available to meet the needs of injured workers whose primary language is not English.
- In exceptional circumstances, PMI's technical representatives will be available to provide at-home instruction and assistance to TENS patients.

How do providers and injured workers contact PMI?

PMI can be contacted at:

Performance Modalities, Inc.
25510 74th Avenue South
Kent, WA 98032
Phone: (253) 852-0078
(800) 999-TENS
FAX: (253) 852-0427

How do providers and injured workers contact the department?

The Department of Labor and Industries Provider Hotline can be reached at (800) 848-0811.

Thank you for your attention and cooperation with these program changes.